

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: G. Mockry et al.
Ser. No. 09/878,860
Filed June 9, 2001
For: "Baseball Quick"(as amended)

Atty Docket No. 530.005PA
April 1, 2002
Art Unit: 3711
Examiner:

SUPPORTING DECLARATION OF GEORGE MOCKRY

Office of Petitions
Hon. Commissioner for Patents
Washington, DC 20231

Sir:

The undersigned hereby declares as follows:

My name is George Mockry, United States citizen now residing in Cortez, Colorado, and at the time of the filing of provisional application Ser. No. 60/211,208, a resident of Sheridan, Wyoming. I am one of the two joint inventors of the subject matter of this patent application, the other joint inventor being Greg M. Mockry, a United States Citizen and resident of Massena, New York.

During the first week of June, 2001, Greg. M. Mockry and I decided to file a regular non-provisional application based on our then-pending provisional application, Ser. No. 60/211,208, filed June 13, 2000. I assembled all the required papers, including Declarations signed respectively by myself and Greg M. Mockry; a specification, which was in the form of a complete copy of the above-mentioned provisional application Ser. No. 60/211,202; a page of Claims; a cashier's check from Citizens State Bank of Cortez for \$355.00; and a self-addressed stamped post card that listed each item being submitted. I then placed these materials into an envelope addressed to the Commissioner of Patents with sufficient postage for Express Mail. This envelope was deposited with the United States Postal Service on June 9, 2001.

A few days later I received back the return receipt post card, which now carried indicia

showing the filing date (06/09/01) and the application serial number (09/878860). The exhibit attached hereto is a true copy of the said return receipt post card. The post card has not been altered in any way since I received it.

The undersigned further declares that all statements appearing above that are made of his own knowledge are true, and all statements made on information and belief are believed to be true, and further these statements were made that any willful false statements or the like so made may be punishable by fine, or imprisonment, or both under Section 2001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this statement is directed.

George Mockry

Signed

George Mockry
Dated this 15 th day of April, 2002.



THE CITIZENS STATE BANK OF CORTEZ
P.O. DRAWER 1
CORTEZ, CO 81321

Cashiers Check

87-458
1021

000000107604

PURCHASER'S COPY

June 07, 2001

Amount in purchaser's check is subject to the provisions of this check.
Purchaser agrees to provide an indemnity bond prior to the return of the instrument
of this check to the extent of its face, value, and interest.

Purchaser: GEORGE MOCKRY

Operator HEATHER

Branch 1021

Paid by ☒ Cash
☐ Account
☐ Loan
☐ Other

Payee: COMMISSIONER OF PATENTS AND TRADEMARKS

NOT NEGOTIABLE

Amount: \$365.00
Fee: \$3.00
Total: \$368.00

BANK

NEW APPLICATION TRANSMITTAL (SMALL ENTITY)
4 ORIGINAL COPIES OF PROVISIONAL
PAGE "CLAIMS"
CASHIERS CHECK FOR \$35.00
2 DECLARATION FORMS
SELF ADDRESSED POST CARD
(FOR RECEIPT PURPOSES)

J1036 U.S. PTO

09/078860



05/09/01

JC828 U.S. PTO

09/878860



05/10/02

EXHIBIT A

PROVISIONAL APPLICATION COVER SHEET

This is a request for filing a PROVISIONAL APPLICATION under 37 CFR 1.53 (b)(2)

Docket Number	530.005PPA	Type a plus sign (+) inside this box	+
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INVENTOR(S)/APPLICANT(S)

LAST NAME	FIRST NAME	MIDDLE INITIAL	RESIDENCE (CITY AND EITHER STATE OR FOREIGN COUNTRY)
MOCKRY MOCKRY	GREG GEORGE	M.	Massena, New York Sheridan, Wyoming

TITLE OF THE INVENTION (280 characters maximum)

Method of Recording and Playing Baseball Game Showing Each Batter's Last Pitch

CORRESPONDENCE ADDRESS

Bernhard P. Molldrem, Jr. TRAPANI & MOLLDREM 333 EAST ONONDAGA STREET SYRACUSE, NY 13202	Telephone: (315) 422-4323	Facsimile: (315) 422-4318
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ENCLOSED APPLICATION PARTS (check all that apply)

<input checked="" type="checkbox"/> Specification Number of Pages <u>2</u>	<input checked="" type="checkbox"/> Small Entity Statement(s)
<input type="checkbox"/> Drawing Number of Sheets _____	<input type="checkbox"/> Other (specify) _____

METHOD OF PAYMENT (check one)

<input checked="" type="checkbox"/> A check or money order is inclosed to cover the Provisional filing fees	PROVISIONAL FILING FEE AMOUNT (\$)	\$75.00
<input type="checkbox"/> The Commissioner is hereby authorized to charge filing fees and credit Deposit Account Number: _____		

The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.

☒ No.☐ Yes, the name of the U.S. Government agency and the Government contract number are as follows: _____

Respectfully submitted,

SIGNATURE

Typed or printed name: Bernhard P. Molldrem, Jr.DATE June 6, 2000REGISTRATION NO. 28,973
(if appropriate)☐ Additional inventors are being named on separately numbered sheets attached hereto**PROVISIONAL APPLICATION FILING ONLY**

Serial No.: 60/211,208

Filed: June 13, 2000

METHOD OF RECORDING AND PLAYING BASEBALL GAME SHOWING EACH BATTER'S LAST PITCH

Inventors: Greg M. Mockry and George Mockry

This invention relates to a method of condensing the action portions of a baseball game or other sporting event, by recording the game on film or video tape, and editing it to retain the action portions, i.e., the last pitch thrown to the batters for each turn at the plate.

There are nine players in the field, i.e., on defense, at positions of catcher, pitcher, first base, second base, shortstop, third base, left field, center field and right field. The batting, or offensive, team bats one player at a time, in turn. Each team's half-inning ends when the three outs have been recorded. An out can occur for a given batter only when the batter has struck out or batted the ball into play, although a batter can remain at the plate if a base runner is tagged out, i.e., in a pick-off or if caught stealing. The player can only advance legally to first and be a base runner as a result of the last pitch thrown to him in a given turn at the plate, i.e., he can hit safely, be awarded a base on balls, be struck by a pitch, or strike out and reach first safely after a dropped or passed third strike. Any runners on base advance under these circumstances or are tagged or forced out. There are other ways a base runner can advance before a batter's turn comes to an end, for example, by stealing base, or on account of a wild pitch or a balk.

During a baseball game, there is considerable time taken during each half inning in which there is only limited action on the field. For example, for a given player's turn at bat, there can be six or more pitches thrown before the player hits the ball into play, strikes out, or walks. In addition, there is often a great deal of time used in pick off attempts and conferences in the infield, and in changing places between half-innings. A nine-inning game can typically last between two and three hours, and sometimes longer.

In accordance with an aspect of this invention, a film or video record is made of each player's turn at bat. The video record, which can be film, digital, or tape, is edited down to retain the last pitch thrown to each player, plus any resulting action for that pitch. This would record each safe base hit, each walk, strike out, sacrifice fly, ground out, etc. Of course, fielding would be recorded, i.e., each put-out, error, double-play, and throw-out. The resulting video record would be about 10 to 15 minutes, showing all the action of the game. Base running activity (i.e.,

activity that can also result in either an out or advancement of the runner) can also be retained, such as stolen bases and attempted steals, pickoffs, rundowns, balks, and wild pitches. Some additional material (e.g., narrative) can be included to explain pitching changes, pinch runners, and other substitutions that may affect play.

The completed (edited) version can be sold on a per-game basis, i.e., through a cable subscription arrangement, or delivered digitally over the Internet to subscribers, perhaps using a password and PIN assigned to the subscriber. The 10 to 15 minute video can also be used by professional scouts and others for purposes of player evaluation. The editing could take place immediately after each play, so that the recorded video could be released to its viewership immediately after the game. Each inning or half-inning can be packaged as a unit, if desired. This could increase interest in baseball, by making the game available, on a near-real-time basis, to fans some distance from the ball park, i.e., 75 miles or more. This could also permit satellite viewing of the game at remote locations, without requiring the full bandwidth that is needed for an unedited version or live telecast.

This procedure and the resulting action video can be used for other sports as well. In track and field, the last attempt or heat of each event could be recorded, e.g., the last pole-vault attempt for each athlete competing, and the last twenty meters of each race or heat. The invention would likewise apply in swimming and diving, or in figure skating. In horse racing, the final stretch and finish of each race would be recorded. This invention could also be adapted to baseball-related sports such as fast-pitch softball and cricket. The invention can be applied to net sports, e.g., capturing all game points in a tennis match, and capturing each score in volleyball. This system can also be adapted to show the important action in goal sports such as hockey, lacrosse, basketball, soccer, rugby, and football. The invention can also be used to feature target sports, i.e., to follow all the shots of a given player in golf or in billiards, or every roll in bowling.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Greg M. Mockry (et al.)
Filed: Concurrently herewith
For: **METHOD OF RECORDING AND
PLAYING BASEBALL GAME SHOWING
EACH BATTER'S LAST PITCH**

Atty Doc. No.: 530.005PPA
Group Art Unit:
Examiner:

COMMISSIONER OF PATENTS AND TRADEMARKS
WASHINGTON, D.C. 20231

VERIFIED STATEMENT (DECLARATION) CLAIMING
SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(b))
- INDEPENDENT INVENTOR

Sir:

As the below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled: **METHOD OF RECORDING AND PLAYING BASEBALL GAME SHOWING EACH BATTER'S LAST PITCH**, as described in the specification filed herewith.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ [X] no such person, concern, or organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Greg M. Mockry
Name of inventor

185 Cook Road, Massena, NY 13662
Address of inventor


Signature of inventor

Date 5/30/00

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named joint inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name:

I believe I am the original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **Baseball Quick**, the specification of which is or has been filed as Ser. No. 09/878,860, filed June 9, 2001.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any material foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: **NONE**

Prior Foreign Application(s)

Priority Claimed

(Number)	(Country)	(Date Filed)	Yes	No
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I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application listed below:

<u>60,211,208</u>	<u>June 13, 2000</u>
(Application number)	(Filing date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application: **NONE**

(Application number)	(Filing date)	(Status — patented, pending, abandoned)
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POWER OF ATTORNEY: As a named inventor, I (we) hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

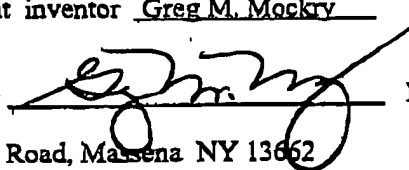
Bernhard P. Molldrem, Jr. Reg. No. 28,973;

Send Correspondence to:
Bernhard P. Molldrem, Jr.
333 East Onondaga Street
Syracuse, New York 13202

Direct Telephone Calls to:
Bernhard P. Molldrem, Jr.
TEL (315) 422-4323
FAX (315) 422-4318

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor Greg M. Mockry

Inventor's signature 

Date 4/12/02

Residence: 185 Cook Road, Massena NY 13662
Citizenship: U.S.
Post Office Address: SAME

Ser. No. 09/878,860

June 9, 2001

Page 2

Full name of second joint inventor George Mockry

Inventor's signature George Mockry Date 4-15-2002

Residence: Cortez CO

Citizenship: U.S.

Post Office Address: P.O. Box 1047, Cortez CO 81321



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/878,860	06/09/2001	Gregory Michael Mockry	

CONFIRMATION NO. 8653

FORMALITIES LETTER



OC000000007854345

George Mockry
P. O. Box 1047
Cortez, CO 81321

Date Mailed: 03/16/2002

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)).

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition.

- The specification does not include a written description of the invention.
A complete specification as prescribed by 35 U.S.C. 112 is required.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY, DOCKET NO./TITLE
09/878,860	06/09/2001	Gregory Michael Mockry	

George Mockry
P. O. Box 1047
Cortez, CO 81321

CONFIRMATION NO. 8653

RESEND COVER LETTER



OC000000007771555

Date Mailed: 04/03/2002

COVER LETTER FOR RESENDING CORRESPONDENCE

A courtesy copy of the Notice mailed on 03/15/2002 is enclosed. The time period for reply continues to run from the mail date of that Notice.

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE